

REMARKS

Applicants request reconsideration of the application in view of the amendments and remarks herein. The pending claims are amended and in doing so Applicants have not added new matter. Support in the originally filed specification for the amendments is given on page 2, lines 4-9. Claims 1-9, 14-18 and 21-23 are pending.

The Rejection under 35 U.S.C. §103(a)

Applicants traverse the rejection of the claims as being obvious over CMM as evidenced by SCE and Daskalantonakis. First, Applicants maintain that CMM is a human process undertaken by a plurality of human teams, not a computerized methodology, as claimed. Second, Applicants disagree with the rejection's assertion that the difference between the computerized evaluation of delivery of information technology services, as claimed, and the methodology to develop software disclosed in the CMM amount to "non-functional descriptive material that are not functional involved in the steps recited nor do they alter the recited structural elements."

With respect to the nonobvious differences between the claimed method to obtain an external customer's perception of provided information technology services, Applicants contend that the complex software process assessment, software capability evaluation as described in the CMM references cited and many more CMM references are in an unrelated field – that of software development, not providing information technology services which include providing hardware to external customers. The process improvement methodology of CMM embodies complex human processes requiring training and extensive team management of at least two teams and a process that may require years, *see* CMM at page 51, first paragraph. CMM specifically states that the software process assessment is an appraisal by a **trained** team of software professionals to determine the state of an organization's current software process, to determine the high-priority software process-related issues facing a software development organization, and to obtain the organization support for the software process improvement. The software capability evaluation is an appraisal by a **trained** team of

professionals to identify contractors who are qualified to perform the software work or to monitor the state of the software process used on an existing software effort. *See* CMM at page xi, footnotes 1 and 2. Applicants maintain that CMM, a long-term internal process of improving software development, does not teach or suggest its implementation in data processing system and a computerized methodology; and that CMM does not teach or suggest its application to evaluating an external customer's satisfaction of information technology services.

The rejection, however, maintains that the differences between the CMM and Applicants' claims lie in non-functional descriptive material that is not functionally involved in the steps recited and does not alter recited structural elements. Applicants amend the claims to distinctly claim the methodology's integration into the teachings of U.S. Patent 6950802 B1 entitled. Thus, the claimed method is a computerized method having engagement templates with user interfaces that request and obtain input from the external customer as in the third phase of the SYSTEM AND METHOD FOR SYSTEMS INTEGRATION. The claimed computerized methodology processes the data received by one or more engagement templates to generate metrics of maturity and satisfaction of the delivery of information technology services; and the first and second engagement templates functionally interact with other steps of the method to output a maturity metric and a report of the maturity metric.

Applicants request the Examiner withdraw the rejection of the pending claims as being obvious in view of CMM. Applicants invite the Examiner to telephone the attorney, Karuna Ojanen, Reg. No. 32484 at 612.455.3836 should there be any remaining issues that could be resolved with a telephone conference.



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